

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 06-1972

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ELEANOR M. COONEY, AS EXECUTRIX OF THE  
ESTATE OF DANIEL T. COONEY, JR., DECEASED;  
ELEANOR SCHIANO; HELEN E. COONEY MUELLER;  
DANIEL T. COONEY, III; ROBERT COONEY, INDIVIDUALLY,

Appellants

v.

ROBERT E. BOOTH, JR., M.D.;  
ARTHUR R. BARTOLOZZI, M.D.;  
3B ORTHOPAEDICS, P.C. / PENN ORTHOPAEDICS;  
3B ORTHOPAEDICS / PENN ORTHOPAEDICS

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. No. 04-cv-01272)  
District Judge: Honorable Jose L. Linares

Submitted Under Third Circuit LAR 34.1(a)  
December 12, 2006

Before: FISHER and CHAGARES, *Circuit Judges*,  
and BUCKWALTER,\* *District Judge*.

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JUDGMENT

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\*The Honorable Ronald L. Buckwalter, United States District Judge for the Eastern District of Pennsylvania, sitting by designation.

This cause came on to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit LAR 34.1(a) on December 12, 2006. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the order of the District Court entered February 22, 2006, be and the same is hereby affirmed. All of the above in accordance with the opinion of this Court.

Costs taxed against Appellants.

ATTEST:

/s/ Marcia M. Waldron

Clerk

Dated: January 4, 2007

**Certified as a true copy and issued in lieu  
of a formal mandate on 02/07/07**

Teste:



**Clerk, U.S. Court of Appeals for the Third Circuit**

*Marcia M. Waldron*

Marcia M. Waldron, Clerk